

Notice of Allowability

Application No.

10/695,900

Applicant(s)

STUART ET AL.

Examiner

Art Unit

Essama Omgba

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendments filed August 23, 2006.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>9/14/2006</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. George Ayvazov on September 11, 2006.

The application has been amended as follows:

In the specification

Page 18, line 15, --or interference has-- been inserted after "resistance".

In the claims

- Claim 1: line 22, "complementary to said mounting bores in said bearing hub portions" has been changed to --received in said mounting bores in said differential carrier frame member without substantial interference--.
- line 25, "are not complementary to said mounting bores in said bearing hub portions" has been changed to --may not be received in said mounting bores in said differential carrier frame member or if said mounting studs are received in said mounting bores in said differential carrier frame member with substantial interference--.
- Claim 9: line 26, "complementary to said mounting bores in said bearing hub portions" has been changed to --received in said mounting bores in

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said differential carrier frame member without substantial interference--,

line 28, "are not complementary to said mounting bores in said bearing hub portions" has been changed to --may not be received in said mounting bores in said differential carrier frame member or if said mounting studs are received in said mounting bores in said differential carrier frame member with substantial interference--.

line 34, "complementary to said mounting bores in said bearing hub portions" has been changed to --received in said mounting bores in said differential carrier frame member without substantial interference--.

Claim 10: line 21, "complementary to said mounting bores in said bearing hub portions" has been changed to --received in said mounting bores in said differential carrier frame member without substantial interference--,

line 24, "are not complementary to said mounting bores in said bearing hub portions" has been changed to --may not be received in said mounting bores in said differential carrier frame member or if said mounting studs are received in said mounting bores in said differential carrier frame member with substantial interference--.

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2. The following is an examiner's statement of reasons for allowance: the prior art does not teach a method for verifying a predetermined bearing preload of differential bearings in a differential assembly during the mounting thereof to an axle support beam member of a direct axle assembly, the axle support beam member having a central portion and at least two mounting studs outwardly extending therefrom, the differential assembly module including a differential carrier member having two axially spaced bearing hub portions, each of the bearing hub portions having at least one mounting bore for receiving one of the at least two mounting studs of the support beam member, the method comprising preloading each of the differential bearings to the predetermined bearing preload, inserting the mounting studs of the axle support beam member into the mounting bores in the bearing hub portions of the differential carrier frame member, determining that the differential bearings are properly preloaded if the mounting studs are received in the mounting bores in the differential carrier frame member without substantial interference or determining that the differential bearings are not properly preloaded if the mounting studs may not be received in the mounting bores or if the mounting stud are received in the mounting bores with substantial interference, these in combination with the rest of the limitations in the claims.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (571) 272-4532. The examiner can normally be reached on M-F 9-6:30, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Essama Omgba
Primary Examiner
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eo
September 14, 2006